

**CHARGES AND SPECIFICATIONS**

PD468-121 (Rev.1-02)-Pent

February 4, 2016

Command	Serial No.	I.A.B. Log No.	I.A.B. Member Notified	Department Advocate's Office Serial Number
040 PCT / 040	CCRB No. 201506161	2016-4573	Sgt. Macari	2016-15157

TO THE POLICE COMMISSIONER:

	Rank-Title	Surname	First Name	MI	Shield No.	Tax Reg. No.
I hereby CHARGE	POM	Bautista	Ernesto	E	28399	953671
Squad or Chart No	Command				Date Entered Dept.	
040 PCT / 040					1/9/2013	

with VIOLATION OF DEPARTMENT REGULATIONS

SPECIFICATIONS

in that:

1. Police Officer Ernesto Bautista, on or about July 18, 2015, at approximately 0600 hours, while assigned to the 40th Precinct and on duty, in the vicinity of 40th Precinct stationhouse, Bronx County, wrongfully used force, in that he used a chokehold against § 87(2)(b).
203-11 - Use of Force

2. Police Officer Ernesto Bautista, on or about July 18, 2015, at approximately 0600 hours, while assigned to the 40th Precinct and on duty, in the vicinity of 40th Precinct stationhouse, Bronx County, wrongfully used force, in that he restricted § 87(2)(b) breathing without police necessity.
212-49, Page 2 - Additional Data


Jonathan Darche
Chief Prosecutor
New York City Civilian Complaint Review Board

February 4, 2016
Date

1st ENDORSEMENT

Executive Director Mina Malik of the Civilian Complaint Review Board to the Police Commissioner, February 4, 2016. I concur with the issuance of charges and specifications.



Mina Malik
Executive Director
New York City Civilian Complaint Review Board

INSTRUCTIONS FOR SERVICE OF CHARGES AND SPECIFICATIONS

1. Respondent will sign and complete where appropriate:
 - a. original charges and specifications
 - b. vacation and military leave form
 - c. two (2) copies of instructions and receipt of charges and specifications
 - d. agreement to accept service of notice form (when requested in suspension cases only).
2. Respondent will receive:
 - a. one (1) copy of charges and specifications
 - b. one (1) copy of instructions and receipt of charges and specifications form

ACKNOWLEDGEMENT OF SERVICE

I acknowledge due personal service on me of the within Charges and Specifications and notice of Hearing, this

_____ day of _____, 20_____ at _____ AM/PM.

WITNESS

RESPONDENT

(Rank/Title)

(Signature)

(Rank/Title)

(Signature)

DATESTAMP

D.A.O.

(Out)

CMD PREFER C&S

(In)

(Out)

HIGHER COMMAND

(In)

(Out)

D.A.O.

(In)